

this final EA and FONSI and the SER in the **Federal Register**.

## II. Final Environmental Assessment Summary

NSPM is requesting to amend license SNM-2506 for the PI specifically licensed ISFSI to increase the amount of spent fuel allowed. The NRC has assessed the potential environmental impacts of the proposed action and alternatives to the proposed action, shipment of spent fuel to an offsite facility, and the no-action alternative. The results of the NRC's environmental review can be found in the final EA (ADAMS Accession No. ML20275A342). The NRC staff performed its environmental review in accordance with the requirements in 10 CFR part 51. In conducting the environmental review, the NRC considered information in the LAR to expand the ISFSI (ADAMS Accession No. ML19217A313); communications and consultation with the Minnesota State Historic Preservation Office (SHPO); as well as information provided by the Prairie Island Indian Community (PIIC) and 26 additional Native American Tribes; the Minnesota-Wisconsin Ecological Services Field Office of Fish and Wildlife; the Minnesota State Department of Health; the Minnesota Environmental Quality Board, the Minnesota Department of Commerce, the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, and the Environmental Protection Agency Region 5.

Approval of NSPM's proposed LAR would allow NSPM to increase the amount of spent fuel stored at the PI ISFSI, allowing up to 64 storage casks and adding a new storage pad within the existing ISFSI footprint. The estimated annual dose to the nearest permanent resident from ISFSI activities is 0.0434 mSv/yr (4.34 mrem/yr) (ADAMS Accession No. ML19217A313), which is below the 0.25 mSv/yr (25 mrem/yr) limit specified in 10 CFR 72.104(a) and the 1 mSv/yr (100 mrem/yr) limit specified in 10 CFR 20.1301(a)(1). Furthermore, NSPM maintains a radiation protection program for the ISFSI in accordance with 10 CFR part 20 to ensure that radiation doses are as low as is reasonably achievable (ALARA). Accordingly, no significant radiological or non-radiological impacts are expected to result from approval of the ISFSI expansion request, and the proposed action would not significantly contribute to cumulative impacts at the PI site. Additionally, there would be no disproportionately high and adverse

impacts on minority and low-income populations.

In its LAR, NSPM is proposing no changes in how it handles, and stores spent fuel at the PI ISFSI. In its LAR, NSPM commits to following their Cultural Resource Management Plan during all ground-disturbing expansion activities. Approval of the proposed action is not expected to result in new construction or expansion beyond the existing ISFSI footprint. The ISFSI is a largely passive facility that produces no liquid or gaseous effluents. No significant radiological or non-radiological impacts are expected from the expansion or continued normal operations. Occupational dose estimates associated with the expansion and continued normal operation and maintenance of the ISFSI are expected to be at ALARA levels and within the limits of 10 CFR 20.1201. Therefore, the NRC staff has determined that pursuant to 10 CFR 51.31, preparation of an EIS is not required for the proposed action, and pursuant to 10 CFR 51.32, a FONSI is appropriate.

Furthermore, the NRC staff determined that this LAR does not have the potential to cause effects on historic properties, assuming those were present; therefore, in accordance with 36 CFR 800.3(a)(1), no consultation is required under Section 106 of the National Historic Preservation Act." The NRC staff consulted with the Minnesota SHPO via letter dated December 17, 2019, (ADAMS Package Accession No. ML19311G631) and May 28, 2020 (ADAMS Package Accession No. ML20140A115). The Minnesota SHPO responded via letter dated August 10, 2020, indicating they concurred on the finding of no effect (ADAMS Accession No. ML20223A064). Additionally, the NRC staff contacted the PIIC and 26 additional Native American Tribes and provided its determination via letters dated December 19, 2019 (ADAMS Package Accession No. ML19312A048). The PIIC responded on January 17, 2020 (ADAMS Accession No. ML20066G473), and the Shakopee Mdewakanton Sioux Community responded via letter dated January 28, 2020 (ADAMS Accession No. ML20035D132); both indicated that they concurred with the determination of no effect. The NRC staff, with the assistance of the U.S. Fish and Wildlife Service Information for Planning and Consultation project planning tool, determined that the listed species and/or critical habitat will not be adversely affected by the proposed action.

## III. Finding of No Significant Impact

Based on its review of the proposed action in the EA, in accordance with the

requirements in 10 CFR part 51, the NRC has concluded that the proposed action, amendment of NRC license SNM-2506 for the PI ISFSI located in Goodhue County, Minnesota, will not significantly affect the quality of the human environment. Therefore, the NRC has determined, pursuant to 10 CFR 51.31, that preparation of an EIS is not required for the proposed action and a FONSI is appropriate.

Dated: October 5, 2020.

For the Nuclear Regulatory Commission.

**Jessie M. Quintero,**

*Acting Chief, Environmental Review Materials Branch, Division of Rulemaking, Environment, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2020-22350 Filed 10-7-20; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 11004455 and 11005966; NRC-2020-0222]

### MP Mine Operations, LLC

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Order; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) issued an Order approving a request, submitted by MP Mine Operations LLC, seeking NRC's consent to the indirect transfers of control of Export License Nos. XSOU8707 and XSOU8827 and requesting approval of a conforming license amendment to reflect the new point-of-contact on Export License Nos. XSOU8707 and XSOU8827.

**DATES:** The Order was issued on September 21, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2020-0222 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0222. Address questions about Docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at

<https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS Accession No. for the issued Order is ML20262H160.

**FOR FURTHER INFORMATION CONTACT:**

Andrea R. Jones, Office of International Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 404-997-4443, email: [Andrea.Jones2@nrc.gov](mailto:Andrea.Jones2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The text of the Order is attached.

Dated October 5, 2020.

For the Nuclear Regulatory Commission.

**Nader L. Mamish,**

*Director, Office of Internal Programs.*

**Attachment—Order**

**In the Matter of MP Mine Operations LLC; Docket Nos. 11004455 and 11005966, License Nos. XSOU8707 and XSOU8827, Order Approving Indirect Transfer of Two Export Licenses**

**I.**

MP Mine Operations LLC (MPMO or the Licensee) currently holds export licenses XSOU8707 and XSOU8827. The address included on these export licenses is the Mountain Pass rare earth mine and processing facility. On July 15, 2020, MPMO announced a proposed business combination of MPMO Merger LLC and Fortress Value Acquisition Corporation ("FVAC"), (a/k/a "FVAC" Merger LLC III), a publicly traded special purpose acquisition company. Through a series of transactional actions, MPMO will become a direct subsidiary of FVAC Merger LLC III and an indirect subsidiary of MP Materials Corporation, the ultimate parent company. After the proposed business merger is concluded, FVAC's name will change to MP Materials Corporation and MPMO's current majority direct shareholders will become indirect majority shareholders.

**II.**

The current majority equity holders of MPMO are JHL Capital Group Holdings Two LLC ("JHL"), and QVT Financial LP ("QVT"). JHL and QVT hold membership interests representing 65% and 25%, respectively, of MPMO's outstanding units. After the transaction, JHL and QVT will become indirect majority equity holders of MPMO and equity holders in MP Materials Corp. Additionally, JHL and QVT will hold equity interests of at least 41% and 14%, respectively, in MP Materials

Corporation. This combined ownership interest will indirectly represent a majority interest in MPMO. No other single shareholder will hold an interest in MP Materials Corporation of greater than 8%. JHL and QVT will jointly and indirectly own a majority interest in MPMO.

**III.**

By letter dated August 17, 2020 (ADAMS Accession No. ML20233A654) (ADAMS Accession Nos. ML20233A60 and ML20233A643), respectively, MPMO requested approval from the U.S. Nuclear Regulatory Commission (NRC) for the indirect transfer of control of export licenses XSOU8707 and XSOU8827, resulting in the creation of a new parent company MP Materials Corporation. This request was made pursuant to Section 184 of the Atomic Energy Act of 1954, as amended (AEA) (42 U.S.C. 2234) and part 110, section 50, paragraph d of Title 10 of the *Code of Federal Regulations* (10 CFR 110.50(d)). In association with the proposed indirect transfer, MPMO has requested a minor amendment to the export licenses to update to the licensee contact (in license applications dated August 17, 2020 (ADAMS Accession Nos. ML20233A60 and ML20233A643, respectively).

The letter dated August 17, 2020 was made publicly available in ADAMS on August 19, 2020. The NRC received one comment. The commenter requested that the matter be held in abeyance pending a Federal government-wide review, including a review by the Committee on Foreign Investment in the United States (CFIUS), of the national security impacts of the proposed transaction. The commenter claims that the transaction will result in a Chinese company, Shenghe Resources Holding Co., Ltd. (Shenghe Resources), having a minority interest in the ultimate parent company through a subsidiary. The commenter does not mention, however, that Leshan Shenghe Rare Earth Co., Ltd. (Leshan Shenghe), the subsidiary of Shenghe Resources currently already holds a minority interest in the existing licensee, and that post-transaction Leshan Shenghe would continue to be a minority owner of the licensee. To the extent Leshan Shenghe's ownership interest changes, the change would be *de minimis*, based upon the information provided by the licensee to support the transfer of control. Because Leshan Shenghe would continue to be a minority owner of the licensee and any change in its ownership interest will be negligible, the indirect transfer would not alter Leshan Shenghe's existing corporate status as a minority owner of

the licensee or its corporate control or influence over the licensee vis a vis the remaining owners, including the majority owners.

**IV.**

Pursuant to Section 184 of the AEA (42 U.S.C. 2234), no license granted by the Commission shall be transferred, assigned, or in any manner disposed of, directly or indirectly, through transfer of control of any license to any person unless the Commission, after securing full information, finds that the transfer is in accordance with the provisions of the AEA, and gives its consent in writing. Pursuant to 10 CFR 110.50(d), a specific export license may be transferred, disposed of, or assigned to another person only with the approval of the Commission by license amendment. And pursuant to 10 CFR 110.51(a)(1), an application requesting amendment of an export license shall be filed on NRC Form 7, "Application for NRC Export or Import License, Amendment, Renewal or Consent Request(s)," in accordance with 10 CFR 110.31 and 110.32 and must specify the grounds for the requested amendment.

After review of MPMO's supplemental information dated August 11, 2020 (ADAMS Accession No. ML20238B854), export applications XSOU8707 and XSOU8827 dated August 19, 2020 (ADAMS Accession Nos. ML20233A60 and ML20233A643; respectively), and MPMO's "Expedited Review and Any Necessary Consent for Indirect Change of Control of MP Mine Operations LLC, Export License Nos. XSOU8707 and XSOU8827", dated August 17, 2020 (ADAMS Accession No. ML20233A654), the NRC staff has determined that the transfer of control is consistent with the applicable provisions of the AEA, regulations, and orders issued by the Commission. The NRC staff has further determined that the request for the proposed conforming license amendment complies with the standards and requirements of the AEA, and the NRC's regulations set forth in 10 CFR part 110. The transfer of control of the license and issuance of the conforming license amendment will not be inimical to the common defense and security, or to the health and safety of the public, or the environment, and all applicable requirements have been satisfied.

For further details with respect to this Order, see MPMO's supplemental information dated August 11, 2020 (ADAMS Accession No. ML20238B854), export applications XSOU8707 and XSOU8827 dated August 19, 2020 (ADAMS Accession No. ML20233A60 and ML20233A643, respectively),

MPMO's "Expedited Review and Any Necessary Consent for Indirect Change of Control of MP Mine Operations LLC, Export License Nos. XSOU8707 and XSOU8827," dated August 17, 2020 (ADAMS Accession No. ML20233A654), "Response to September 3, 2020 NRC Questions," ADAMS Accession No. ML20262H088 and "MPMO Response to Comments—Export Licenses XSOU8707 and XSOU8827," ADAMS Accession No. ML20259A009. These documents are available for public inspection at the Commission Public Document Room (PDR), located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, MD 20852, and available online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

## VI.

Accordingly, pursuant to Section 184 of the AEA, 10 CFR 110.50(d), and 10 CFR 110.51(c), *it is hereby ordered* that MPMO's request for indirect transfer of control and license amendment application, as described herein, be consented to and approved, respectively.

*It is further ordered*, that MPMO inform the NRC of the date of the indirect transfer, within 30-days of the transaction closing.

This Order is effective upon issuance. Issuance of this Order does not preclude or foreclose any future NRC enforcement action, if warranted, to address any previous violations of NRC requirements.

Dated at Rockville, Maryland, this 21st day of September 2020.

For the Nuclear Regulatory Commission.  
Nader L. Mamish,  
Director, Office of International Programs.  
[FR Doc. 2020-22314 Filed 10-7-20; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2020-0221]

### Information Collection: NRC Form 483, "Registration Certificate—In Vitro Testing With Byproduct Material Under General License"

AGENCY: Nuclear Regulatory Commission.

**ACTION:** Renewal of existing information collection; request for comments.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, NRC Form 483, "Registration Certificate—In Vitro Testing with Byproduct Material Under General License."

**DATES:** Submit comments by December 7, 2020. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0221. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* David Cullison, Office of the Chief Information Officer, Mail Stop: T-6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Obtaining Information and Submitting Comments

#### A. Obtaining Information

Please refer to Docket ID NRC-2020-0221 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0221. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC-2020-0221 on this website.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly

available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML20205L413. The supporting statement is available in ADAMS under Accession No. ML20205L506.

- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov).

#### B. Submitting Comments

Please include Docket ID NRC-2020-0221 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

### II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized below.